

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

**JOE TOVAR and
SONIA TOVAR,**

Plaintiffs,

v.

No. 21-cv-0628 GJF/SMV

**UNITED SEATING AND MOBILITY, LLC;
NUMOTION FOUNDATION;
JOHN DOE SALES REPRESENTATIVE;
JOHN DOE INSTALLATION TECHNICIAN;
TIM CASEY; JOHN AND JANE DOES I-X;
BLACK AND WHITE CORPORATIONS I-X;
ABC PARTNERSHIPS I-X;
and ABC ORGANIZATIONS I-X;¹**

Defendants.

**ORDER GRANTING IN PART AND DENYING IN PART
SECOND JOINT MOTION TO STAY DISCOVERY, EXTEND
DEADLINES, AND VACATE AND RESET SETTLEMENT
CONFERENCE AND TRIAL**

THIS MATTER is before the Court on the parties' Second Joint Motion to Stay Discovery, Extend Deadlines, and Vacate and Reset Settlement Conference and Trial (the "Second Joint Motion") [Doc. 43], filed on May 26, 2022. The Court finds that the Second Joint Motion is well-taken in part and should be GRANTED in part and DENIED in part.

¹ In the Amended Complaint, filed on October 14, 2021, Plaintiff named only United Seating and Mobility, LLC, d/b/a/ Numotion, as defendant. [Doc. 25]. Hence, only United Seating and Mobility, LLC d/b/a Numotion remains as defendant and Numotion Foundation, John Doe Sales Representative, John Doe Installation Technician, Tim Casey, John and Jane Does I-X, Black and White Corporations I-X, ABC Partnerships I-X, and ABC Organization I-X are no longer defendants.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Second Joint Motion be GRANTED to the extent it seeks a stay of all discovery. Discovery shall be stayed until August 29, 2022.

IT IS FURTHER ORDERED that the Second Joint Motion be GRANTED to the extent it seeks amendment of the deadlines set forth in the Court's Scheduling Order [Doc. 21], entered on September 23, 2021; Order Granting Unopposed Motion to Extend the Disclosure Deadlines for Expert Witnesses [Doc. 32], entered on March 21, 2022; and Order Granting in Part the Parties' Joint Motion to Stay Discovery, Extend Deadlines, and Vacate and Reset Trial [Doc. 39], entered on April 19, 2022. The deadlines shall be amended as follows:

Defendant discloses experts and provides expert reports or summary disclosures:	October 31, 2022
Termination of discovery:	December 23, 2022
Motions relating to discovery:	January 13, 2023
Pretrial motions other than discovery motions:	January 27, 2023

IT IS FURTHER ORDERED that the parties' request for an extension of deadlines related to the pretrial order be DENIED as moot. *See* [Doc. 40] (vacating the order setting a trial date and associated deadlines, including deadlines related to the pretrial order).

IT IS FURTHER ORDERED that the parties' request to vacate the settlement conference set for June 21, 2022, be GRANTED. The settlement conference set for June 21, 2022, shall be VACATED.

IT IS FURTHER ORDERED that the parties' request to reset the settlement conference between September 19, 2022, and October 10, 2022, be DENIED without prejudice.

IT IS FURTHER ORDERED that the Court will hold a telephonic status conference on **September 1, 2022, at 10:30 a.m. MDT** to discuss the status of discovery and whether and when to schedule a settlement conference. Counsel are reminded to have their calendars available for the hearing, as well as the calendar of any other person whose presence will be required at the settlement conference. Counsel must call the Court's AT&T Conference Line, (888) 363-4734 (access code: 4382538), to connect to the proceedings.

IT IS SO ORDERED.



STEPHAN M. VIDMAR
UNITED STATES MAGISTRATE JUDGE